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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 02, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL J. BERCIER and


Defendants.

2:21-CR-74-RMP

INDICTMENT

Vios: 21 U.S.C. §§ 841(a)(1),
(b)(1)(B)(viii), (b)(1)(C), 846
Conspiracy to Distribute of 5
Grams or More of Actual
(Pure) Methamphetamine,
Fentanyl, and Heroin
(Count 1)

21 U.S.C. § 841(a)(1),
(b)(1)(B)(viii)
Distribution of 5 Grams or
More of Actual (Pure)
Methamphetamine
(Counts 2, 4)

21 U.S.C. § 841(a)(1),
(b)(1)(C)
Distribution of a Mixture of
Substance Containing a
Detectable Amount of
Fentanyl
(Counts 3, 5, 6)

21 U.S.C. § 841(a)(1),
(b)(1)(C)
Distribution of a Mixture of
Substance Containing a
Detectable Amount of Heroin
(Count 7)

21 U.S.C. § 853
Forfeiture Allegation

The Grand Jury charges:

COUNT 1

Beginning on a date unknown, but by on or about April 7, 2021, and continuing until on or about June 2, 2021, in the Eastern District of Washington, the Defendants, MICHAEL J. BERCIER and [REDACTED] did knowingly and intentionally combine, conspire, confederate and agree together with each other to commit the following offense: distribution of Schedule II controlled substances, to wit: five (5) grams or more of actual (pure) methamphetamine; a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a “Fentanyl”); and a mixture or substance containing a detectable amount of heroin; all in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii). (b)(1)(C), 846.

COUNT 2

On or about April 7, 2021, in the Eastern District of Washington, the Defendant, MICHAEL J. BERCIER, did knowingly and intentionally distribute 5 grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii).

COUNT 3

On or about April 7, 2021, in the Eastern District of Washington, the Defendants, MICHAEL J. BERCIER and [REDACTED] did knowingly and intentionally distribute of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a “Fentanyl”), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT 4

On or about April 8, 2021, in the Eastern District of Washington, the Defendants, MICHAEL J. BERCIER and [REDACTED] did knowingly and intentionally distribute 5 grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii).

COUNT 5

On or about April 8, 2021, in the Eastern District of Washington, the Defendants, MICHAEL J. BERCIER and [REDACTED] did knowingly and intentionally distribute of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a “Fentanyl”), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT 6

On or about April 11, 2021, in the Eastern District of Washington, MICHAEL J. BERCIER and [REDACTED], did knowingly and intentionally distribute of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a “Fentanyl”), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT 7

On or about April 11, 2021, in the Eastern District of Washington, MICHAEL J. BERCIER and [REDACTED], did knowingly and intentionally distribute of a mixture or substance containing a detectable amount of heroin, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

NOTICE OF CRIMINAL FORFEITURE

The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense(s) in violation of 21 U.S.C. §§ 841(a)(1), and 21 U.S.C. § 846, as set forth in this Indictment, the Defendants, MICHAEL J. BERCIER and [REDACTED] shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

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1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p).

3 DATED this ____ day of June, 2021.

5 A TRUE BILL

6
7 Foreperson

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11 _____
12 Joseph H. Harrington
13 Acting United States Attorney

14 

15 _____
16 Russell E. Smoot
17 Assistant United States Attorney